

Outline for Final Report (March 29, 2023)
California Task Force to Study and Develop
Reparation Proposals for African Americans

Executive Summary

- I. PART I: Detail of Historical Atrocities (Gov. Code, § 8301, subd. (b)(1))**
1. Chapter 1: Introduction
 2. Chapter 2: Enslavement
 3. Chapter 3: Racial Terror
 4. Chapter 4: Political Disenfranchisement
 5. Chapter 5: Housing Segregation and Unjust Property Takings
 6. Chapter 6: Separate and Unequal Education
 7. Chapter 7: Racism in Environment and Infrastructure
 8. Chapter 8: Pathologizing Black Families
 9. Chapter 9: Control Over Creative, Cultural, and Intellectual Life
 10. Chapter 10: Stolen Labor and Hindered Opportunity
 11. Chapter 11: An Unjust Legal System
 12. Chapter 12: Mental and Physical Harm and Neglect
 13. Chapter 13: The Wealth Gap
- II. PART II: International Reparations Framework and Examples of Other Reparations Schemes (Gov. Code, § 8301.1, subd. (b)(3)(A))**
1. Chapter 14: International Reparations Framework
 - i. In the UN Principles on Reparation, the UNGA held that any full and effective reparations scheme must include the following five forms of reparations: Restitution, Compensation, Rehabilitation, Satisfaction and Guarantees of non-repetition.
 - ii. Who qualifies for reparations under the UN Principles on Reparation?
 - iii. What constitutes gross violations of international human rights law and serious violations of international humanitarian law under the UN Principles on Reparation?
 - iv. What are victims' rights to remedies under the UN Principles on Reparation?
 - v. What must full and effective reparations include under the UN Principles on Reparation?
 1. Restitution
 2. Compensation
 3. Rehabilitation
 4. Satisfaction
 5. Guarantees of non-repetition
 - vi. Statutes of Limitation
 2. Chapter 15: Examples of Other Reparations Schemes
 - i. International schemes (or International reparations and racial equity schemes)
 1. Germany-Israel

2. Chile
3. South Africa
4. Canada
- ii. Domestic schemes (or Domestic reparations and racial equity schemes)
 1. Federal
 - a. U.S. Indian Claims Commission
 - b. Tuskegee Study of Untreated Syphilis in the Negro Male
 - c. Japanese American Internment
 - d. 9/11
 - e. Sandy Hook Elementary School
 - f. Iranian Hostages
 2. State and Local
 - a. Rosewood, Florida
 - b. North Carolina Sterilization
 - c. Virginia (Eugenics)
 - d. Chicago Police Department
 - e. Evanston, Illinois
 - f. Asheville, North Carolina
 - g. Providence, Rhode Island
 - h. California Sterilization Compensation Program

III. PART III: Recommendation of the Task Force as to How the State of California will offer a formal apology on behalf of the people of California for the perpetration of gross human rights violations and crimes against humanity on African slaves and their descendants. (Gov. Code, § 8301.1, subd. (b)(3)(B))

1. Chapter 16: Recommendation for a formal apology enacted by the Legislature and signed by the Governor, for the atrocities documents in Chapters II-XIII, and a request for forgiveness.

IV. PART IV: Recommendations of Task Force Regarding Calculations of Reparations and Forms of Compensation and Restitution

1. Chapter 17:
 - i. How, in consideration of the Task Force’s findings, any form of compensation to African Americans, with a special consideration for African Americans who are descendants of persons enslaved in the United States, is calculated. **[Gov. Code, § 8301, subd. (b)(3)(E)]**
 - ii. What form of compensation should be awarded, through what instrumentalities, and who should be eligible for such compensation. **[Gov. Code, § 8301, subd. (b)(3)(F)]**
 - iii. How, in consideration of the Task Force’s findings, any other forms of rehabilitation or restitution to African descendants are warranted and what form and scope those measures should take. **[Gov. Code, § 8301, subd. (b)(3)(G)]**
 - iv. Expert Analysis

V. PART V: Policy Recommendations to the Legislature as to Appropriate policies, programs, projects, and recommendations for the purpose of reversing the injuries (Gov. Code, § 8301, subd. (b)(3)(C), (b)(3)(D))

1. Chapter 18: Introduction with Recommendations
 - i. California American Freedman Affairs Agency
 - ii. Repeal Proposition 209
 - iii. Conduct Racial Impact Analyses
 - iv. Agency Transparency
 - v. Legislative Findings
2. Chapter 19: Enslavement
 - i. Enact legal resolution affirming the State’s protection of Descendants of enslaved people and guaranteeing protection of the civil, political, and socio-cultural rights of Descendants of enslaved people
 - ii. Enact legislation to create compensation fund for all direct descendants of American slaves forced to labor specifically in the state of California (i.e. Descendant legacy families in Coloma, CA)
 - iii. Amending the California Constitution to prohibit involuntary servitude
 - iv. Payment of fair market value for labor provided by incarcerated (whether in jail or prison) persons
 - v. Emphasize the “Rehabilitation” in the California Department of Corrections and Rehabilitation (CDCR)
 - vi. Abolish the death penalty
 - vii. Prohibit private prisons from benefiting from contracts with CDCR to provide reentry services to incarcerated or paroled individuals
3. Chapter 20: Racial Terror
 - i. Establish and Fund Community Wellness Centers in Black Communities
 - ii. Fund Research to Study the Mental Health Issues within California’s Black Youth Population, and to Address Rising Suicide Rates among Black Youth
 - iii. Expand the Membership of the Mental Health Services Oversight and Accountability Commission (MHSOAC) and Require the Appointment of an Expert in Reducing Disparities in Mental Health Care Access and Treatment to the MHSOAC
 - iv. Fund Community-Driven Solutions to Decrease Community Violence at the Family, School, and Neighborhood Levels
 - v. Proposals to Address Discrimination, Harassment, and Violence Against Black Californians Who Identify or Appear as LGBTQ+ and to Reduce Disparities in Mental Health and Health Care Outcomes for Black members of the LGBTQ Community
 - vi. Implement Procedures to Address the Over-diagnosis of Emotional Disturbance Disorders, Including Conduct Disorder, in Black Children
 - vii. Proposals to Disrupt the Mental Health Crisis and County Jail Cycle
 - viii. Eliminate Legal Protections for Peace Officers Who Violate Civil or Constitutional Rights

- ix. Assess and Remedy Racially Biased Treatment of Black Adults and Juveniles in Custody in County Jails, State Prisons, Juvenile Halls, and Youth Camps
- 4. Chapter 21: Political Disenfranchisement
 - i. Require District-Based Voting and Independent Redistricting Commissions to Safeguard Against the Dilution of the Descendant Voting Bloc
 - ii. Increase Funding to Support the California Department of Justice’s Enforcement of Voting Rights in California
 - iii. Pass Legislation Aligning with the Objectives of AB 2576 and Establish Separate Funding to Support Educational and Civic Engagement Activities
 - iv. Provide Funding to NGOs Whose Work Focuses on Increasing Civic Engagement Among Descendants
 - v. Declare Election Day a Paid State Holiday and Provide Support to Essential Workers to Increase Access to the Polls
 - vi. Remove the Barrier of Proving Identity to Vote
 - vii. Increase Jury Participation of Persons with Felony Convictions and Discourage Judges and Attorneys from Excluding Potential Jurors Solely for Having a Prior Felony Conviction
 - viii. Increase Efforts to Restore the Voting Rights of Formerly Incarcerated Persons and Provide Access to Those Who Are Currently Incarcerated and Eligible to Vote
- 5. Chapter 22: Housing Segregation and Unjust Property Takings
 - i. Prioritize Responsible Development and Environmental and Public Health in Communities and Housing Development
 - ii. Enact Policies Overhauling the Housing Industrial Complex
 - iii. Collect Data on Housing Discrimination
 - iv. Provide Anti-Racism Training to Workers in the Housing Field
 - v. Expand Grant Funding to Community-Based Organizations to Increase Home Ownership
 - vi. Provide Property Tax Relief to Increase Home Ownership
 - vii. Provide Direct Financial Assistance to Increase Home Ownership
 - viii. Require State Review and Approval of Residential Land Use Ordinances by Municipalities with High Levels of Segregation
 - ix. Repeal Crime-Free Housing Policies
 - x. Increase Affordable Housing for Black Californians
 - xi. Provide Restitution for Racially Motivated Takings
 - xii. Provide a Right to Return for Displaced Black Californians
 - xiii. Provide Funding to Assist Black Californians With Making Residential Homeownership a Reality
- 6. Chapter 23: Separate and Unequal Education
 - i. Increase Funding to Schools Through the Local Control Funding Formula to Address Racial Disparities

- ii. Fund Grants to Local Educational Agencies to Address the COVID-19 Pandemic’s Exacerbating Impacts on Education Disparities
 - iii. Implement Systematic Review of School Discipline Data
 - iv. Improve Access to Educational Opportunities for All Incarcerated People
 - v. Adopt Mandatory Curriculum for Teacher Credentialing and Trainings for School Personnel and Grants for Teachers
 - vi. Employ Proven Strategies to Recruit African American Teachers
 - vii. Require that Curriculum at All Levels Be Inclusive and Free of Bias
 - viii. Advance the Timeline for Ethnic Studies Classes
 - ix. Adopt a K-12 Black Studies Curriculum
 - x. Adopt the Freedom School Summer Demonstration Pilot Program
 - xi. Reduce Racial Disparities in the STEM Fields for African American Students
 - xii. Expand Access to Career Technical Education for Descendants
 - xiii. Reduce K-12 Public School Segregation by Enabling Students to Attend Schools in Other Districts
 - xiv. Fund Free Tuition to California Public Colleges and Universities
 - xv. Eliminate Standardized Testing for Admission to Graduate Programs in the University of California and California State University Systems
 - xvi. Identify and Eliminate Racial Bias and Discrimination in Statewide K-12 Proficiency Assessments
7. Chapter 24: Racism In Environment and Infrastructure
- i. Increase Greenspace Access and Recreation Opportunities in Black Communities
 - ii. Test For and Eliminate Toxicity in Descendant Communities
 - iii. Increase Trees in Redlined and Descendant Communities
 - iv. Develop Climate Resilience Hubs in Redlined and Descendant Communities
 - v. Remove Lead in Drinking Water
 - vi. Prevent Highway Expansion and Mitigate Transportation Pollution
8. Chapter 25: Pathologizing Black Families
- i. Reduce and Seek to Eliminate Racial Disparities in the Removal of African American Children From Their Homes and Families
 - ii. Reduce the Placement of Black Children in Foster Care and Increase Kinship Placements for Black Children
 - iii. Establish and Fund Early Intervention Programs That Address Intimate Partner Violence (IPV) Within the African American Community
 - iv. Eliminate Interest on Past-Due Child Support and Eliminate Back Child Support Debt
 - v. Eliminate and/or Curtail Law Enforcement Activity in California Schools

- vi. Eliminate or Reduce Charges for Phone Calls Between County Jail Inmates and Their Families
 - vii. Address Disproportionate Homelessness Among Black Californians
 - viii. Address Disparities and Discrimination Associated with Substance Use Recovery
9. Chapter 26: Control Over Creative, Cultural, and Intellectual Life
- i. Provide State Funding to Descendants to Address Disparity in Compensation Among Athletes in the University of California and State System
 - ii. Prohibit Discrimination Based on Natural and Protective Hair Styles In All Competitive Sports
 - iii. Provide State Funding to Support Descendant Athletes in Capitalizing on their Name, Image, and Likeness and Intellectual Property
 - iv. Identify and Remove Monuments, Plaques, State Markers and Memorials Memorializing and Preserving Confederate Culture; Erect Monuments, Plaques and Memorials Memorializing and Preserving Reconstruction Era and the Descendant Community
 - v. Provide Funding to the Proposed California American Freedmen Affairs Agency, Specifically for Creative, Cultural, and Intellectual Life
 - vi. Eliminate the Practice of Banning Books Maintained by the California Department of Corrections and Rehabilitation
 - vii. Public Disclosure of Compensation and Benefits for Artists Across All Media Industries in California
10. Chapter 27: Stolen Labor and Hindered Opportunity
- i. Greater Transparency in Gubernatorial Appointments
 - ii. Guaranteed Income Program for Descendants
 - iii. Licensure for People with Criminal Records
 - iv. Transforming the Minimum Wage Back into a Living Wage
 - v. Advancing Pay Equity through Employment Transparency and Equity in Hiring/Promotion
 - vi. Professional Career Training
 - vii. Apprenticeship Grant Program
 - viii. Funding Black Businesses
 - ix. Funding African American Banks
11. Chapter 28: An Unjust Legal System
- i. Allocate Funds to Remedy Harms and Promote Opportunity
 - ii. Eliminate Barriers for Black Prospective Attorneys by Funding Legal Education and Ending Discriminatory Gatekeeping at the State Bar
 - iii. Prohibit Cash Bail and Mandate that Those Who Are Acquitted or Exonerated be Reimbursed by the Arresting and/or Prosecuting Agency
 - iv. Urge Congress to Abolish the Qualified Immunity Doctrine to Allow Victims of Police Violence Access to Justice

- v. Enact Enforceable Legislation with Penalties that Accomplishes the Dismantling of the School to Prison Pipeline and Decriminalize the Youth Justice System
- vi. Amend the Penal Code to Clarify and Confirm Decriminalization of Transit and Other Public Disorder Offenses
- vii. Amend the Penal Code to Shift Public Disorder Infractions and Low-Level Crimes Outside of Law Enforcement Jurisdiction
- viii. Explicitly Prohibit Pretextual Traffic and Pedestrian Stops, Probation Inquiries, and Consent-Only Searches
- ix. Mandate Policies and Training on Bias-Free Policing
- x. Enact Legislation that Requires the Department of Justice to Promulgate Model Law Enforcement Policies Designed to Prevent Racial Disparities in Policing
- xi. Strengthen and Expand the Racial Justice Act
- xii. Repeal Three Strikes Sentencing
- xiii. Accelerate Scheduled Closures of Identified California State Prisons and Close Ten Prisons Over the Next Five Years, with Financial Savings Re-directed to the American Freedmen Affairs Agency
- xiv. End the Under-protection of Black Women and Girls

12. Chapter 29: Mental and Physical Harm and Neglect

- i. Address Health Inequities among Black Californians by Funding _____
- ii. Improving Health Insurance Coverage
- iii. Evaluate Recently-Passed Health Care Laws
- iv. Address Anti-Black Discrimination in Health Care
- v. Mandate Standardized Data Collection
- vi. Provide Medical Social Workers/Health Care Advocates
- vii. Improving Diversity Among Clinical Trial Participants
- viii. Remedy the Higher Rates of Injury and Death among Black Birthing People and Infants
- ix. Advance the Study of the Intergenerational, Direct, and Indirect Impacts of Racism
- x. Remedy the High Rates of Mental Health Issues/Suicide Among Black Youth
- xi. Meet the Health Needs of Black Elders
- xii. Remedy Disparities in Oral Health Care
- xiii. Fix Racially Biased Algorithms and Medical Artificial Intelligence in Health Care
- xiv. Fund and Expand the UC PRIME-LEAD-ABC Program to be Available at All UC Medical Campuses
- xv. Create and Fund Equivalents to the UC-PRIME-LEAD-ABC Program for Psychologists, Licensed Professional Counselors, and Licensed Professional Therapists

- xvi. Permanently Fund the California Medicine Scholars Program and Create and Fund Equivalent Pathway Programs for Students in the CSU and UC Systems
 - xvii. Review and Prevent Racially Biased Disciplinary Practices by the Medical Board of California
 - xviii. Address Food Injustice
13. Chapter 30: The Wealth Gap

VI. PART VI: Report on Racial Justice Act Implementation

- 1. Chapter 31: Final Report drafted by DOJ Research Center based on survey conducted of District Attorneys, Superior Courts, and major city attorneys
 - i. Executive Summary
 - ii. Data Collection
 - iii. Results
 - 1. Case Management System Use
 - 2. Demographic Data Collected
 - a. Accused Individuals' Demographics Data
 - b. Victims' Demographic Data
 - 3. Arrest & Judicial Matter Data Collected
 - a. Arrest Data
 - b. Judicial Matter Data
 - 4. Release and Custody Data Collected
 - a. Released on Own Recognizance Data
 - b. Bail Data
 - c. Custody Data
 - 5. Diversion Data Collected
 - a. Diversion Offer Extended
 - b. Accepted Diversion Outcome Data
 - 6. Prosecutorial Decision Making & Outcomes Data Collected
 - a. Prosecutorial Declination Data
 - b. Decision to Prosecute Data
 - c. Plea Offers Data
 - d. Prosecution Outcomes Data
 - iv. Appendix A
 - v. Questionnaires & Frequencies
 - vi. Appendix B
 - vii. Affirmative Responses by Agency

VII. PART VII: Bunche Center Report on community engagement and input through Community Listening Sessions

- 1. Chapter 32: Final Bunche Center Report

VIII. PART VIII: Task Force's Recommendations for Educating the Public [Gov. Code, § 8301, subd. (b)(2)]

- 1. Chapter 33:

- i. Educating the Public
- ii. Potential Questions About Reparations, and Responses to Questions About Reparations

IX. PART IX: Compendium of Statutes and Case Law that Contributed to an Unjust Legal System (reference for recommendations covered in PART VI, pursuant to Gov. Code, § 8301, subd. (b)(3)(C))